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David Valicenti

Admitted in MA and NY

August 26, 2008

BY FEDERAL EXPRESS

The Honorable Stephen C. Robinson
United States District Court Judge
United States District Court
Southern District of New York
300 Quarrapopas Street, Room 633
White Plains, New York 10601

Re: Daniel R. Solin v. Anthony J. Domino, Jr., et al.
Case No. 08 CV 2837 (SCR)

Dear Judge Robinson:

I am co-counsel to plaintiff, Daniel R. Solin.

Plaintiff and both defendants, representing all parties, request an adjournment of the Case Management Conference scheduled for September 5, 2008 at 10:00 a.m. If possible, the parties request that the conference be adjourned to either September 30, 2008 or October 2, 2008.

The original Complaint named only defendant Anthony Domino. By Order dated July 14, 2008, the Court permitted plaintiff to amend the Complaint to add Guardian Insurance & Annuity Company, Inc. ("Guardian") as an additional Defendant.

On July 14, 2008, Plaintiff notified Guardian that it was named as a party and requested that Guardian waive service of the summons. On August 11, 2008, Guardian executed a waiver of service. Guardian's Answer is due on September 10, 2008. Guardian's counsel, Robert D. Meade of Bleakley Platt, will be on vacation on the day of the conference and will return on September 9, 2008.

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The adjournment requested will provide the parties, including Guardian, with sufficient time to attempt to reach agreement on a proposed Scheduling Order which will be submitted to the Court five days prior to the date of the Case Management Conference.

For this reason, the parties request that the Court grant their motion for an adjournment of the Case Management Conference scheduled for September 5, 2008.

Very truly yours,

CAIN HIBBARD MYERS & COOK PC



David Valicenti

DEV/sau

Copy: Kevin J. Windles, Esq.
Robert D. Meade, Esq.